GOVERNMENT OF INDIA
COMMERCE AND INDUSTRY
LOK SABHA

UNSTARRED QUESTION NO:5777
ANSWERED ON:10.04.2017
Patent Applications
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Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether it is a fact that the total number of pending patent applications are rapidly increasing in the country, if so, the details thereof;

(b) whether the Government proposes to develop infrastructure in all patent offices in the country so as to clear the pending applications and if so, the details thereof; and

(c) the other corrective steps taken by the Government in this regard?

Answer

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THE MINISTER OF STATE (INDEPENDENT CHARGE)
OF THE MINISTRY OF COMMERCE & INDUSTRY
(SHRIMATI NIRMALA SITHARAMAN)

(a): Pendency of patent applications is measured in terms of pending requests for examination after the request is filed. Various steps undertaken by the Government have resulted in higher number of applications being examined. In the months of January and February 2017, 7,869 applications were examined as against 2,220 during the corresponding period last year. As on 01.03.2017, 247,824 patent applications are pending at various stages of disposal, out of which 206,836 are pending at the examination stage.
(b) & (c): The Government has taken various measures to clear the pending patent applications, namely:

(i) To address the issue of lack of technical manpower for examination and disposal of patent applications, available manpower has been augmented through creation of new posts.
(ii) Recruitment has been completed for 459 posts of Examiners of Patents and Designs, of which 396 new appointees have started examination work after undergoing training, in addition to the existing 130 Examiners.
(iii) Further, 76 new posts of Patent Controllers have also been created.
(iv) IP awareness and training programmes are regularly conducted at Rajiv Gandhi National Institute of Intellectual Property Management (RGNIIPM) Nagpur.
(v) Patent Rules have been amended and notified on 16.05.2016 to simplify procedures for disposal of patent applications. The salient amendments include:

a) Provisions have been included for condonation of delay due to war/ natural calamities.
b) For the first time, refund of fees in certain cases has been permitted, as also withdrawal of application being permitted without any fees.
c) Timelines have been imposed to ensure speedy disposal, while the number of admissible adjournments has been limited.
d) Applications can be transferred electronically from any of the Patent Office branches to another, utilizing specialized technical manpower more efficiently.
e) Expedited Examination is now permitted on certain grounds.
f) Hearing through video conferencing has been permitted.

(vi) IPO website has been updated to make it more interactive, informative, user-friendly and transparent.
(vii) In order to facilitate the examination work and optimise the speed and quality of examination, number of measures viz., computerised work-flow, automation and IT enablement in the functioning have been implemented.

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